



# Chicago Metropolitan Agency for Planning

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## MEMORANDUM

**To:** CMAP Committees  
**From:** CMAP Staff  
**Date:** July 19, 2011  
**Re:** Final Report – 2011 Spring Session

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### LEGISLATIVE NEWS

#### State Budget

Just shy of the new state fiscal year the Governor approved a \$32.987 billion budget. He made cuts in the amount of \$376 million primarily Medicaid obligations, school transportation funding and the operations and compensation funding for the regional superintendents of schools. For more information on the cuts, [click here](#). Any specific line item vetoes will be sent back to the General Assembly for approval.

#### Capital Bill

On Monday, July 11 the Supreme Court unanimously upheld the constitutionality of the \$31 billion capital spending plan stating that the subject of capital projects has a “natural and logical connection” to the subject of revenue. In 2009, the state passed the capital spending plan (public Act 96-34) to pay for the "Illinois Jobs Now" program. Shortly after the passage a lawsuit was filed by Rockwell Wirtz and Wirtz Beverage Illinois, LLC, alleging violation of the single subject clause of the Illinois Constitution. This suit was rejected by the lower courts then reversed by the Appellate Court early this year. The Appellate Court found that the provisions of Public Act 96–34 were not all related to the single subject of “revenue” contained in the official title and that the public acts. However, the Supreme Court opined that the single-subject rule was not limited to the title and evaluated the legislation as a “capital projects” plan, which it found to be a legitimate single subject. The plan included numerous projects for schools, roads, sewer and other critical infrastructure. The sources of revenue caused the controversy and the legal battle to pay for the program. These included legalized video poker, increases in driver's license and license plate fees, higher taxes on alcohol, candy, soft drinks and beauty products.

#### Committee Hearings & Reports

The House and Senate had two committee hearings in July. The first was a joint House Revenue & Finance and Senate Revenue Committee. The committee discussed Illinois business tax

structure and incentive programs. The second was the Small Business and Workforce Development Committee. The topic was unemployment and job creation. The meetings were either occurring at the time of this report or after this report was distributed therefore no additional information was available.

#### **BILLS SIGNED BY THE GOVERNOR**

**Alternate Fuels Act HB 2903** – Rep. Williams (D-Chicago); Sen. Steans (D-Chicago) – CMAP was NEUTRAL on this bill to authorize a \$500,000 grant from the Alternate Fuels Act to be given to car-sharing organizations to purchase alt-fuel vehicles made in Illinois. CMAP supports car-sharing programs in Illinois; however expanding these programs was not a priority of GO TO 2040, thus our neutrality on the bill. **Public Act 97-0090**.

**HB 3597** – Rep. Burns (D-Chicago); Sen. Raoul (D-Chicago) – CMAP MONITORED this bill to require the transit service boards to reduce the cost of transfers by January, 2013, and to create a universal fare card by 2015. RTA has issued a report in response to this and will be preparing for hearing this summer. A copy of the report is available [here](#). **Public Act 97-0085**.

#### **BILLS SENT TO THE GOVERNOR**

**Local Government Consolidation Commission HB 268** – Rep. Franks (D-McHenry); Sen. Raoul (D-Chicago) – CMAP was NEUTRAL on this bill that creates a 17-member commission to study the entire structure of local governments and their organization, powers, jurisdiction and function. The Commission will provide legislation recommendations to the General Assembly no later than December 31, 2012. The members of the commission are appointed by the leaders of the House and Senate and the Governor. In our region, this issue is being tackled by councils of government and counties. Because of that, CMAP remained neutral and did not think the ILGA needed to create a commission to begin work that is already ongoing in our region.

**\*RTA ParaTransit Funds HB 585** – Rep. Nekritz (D-DesPlaines); Sen. Harmon (D-Oak Park) – CMAP was NEUTRAL on this bill that requires ADA paratransit funding to be appropriated first by RTA prior to the service boards' budgets. Passage of this bill speaks to the emphasis on efficient and fair decision-making about transportation expenditures. This funding is required by law and with this bill Pace no longer has to expend time to request funding that is required of them to implement ADA paratransit programs. This also allows RTA to prioritize this issue at the same level as basic service board funding.

**\*Public-Private Partnerships for Transportation HB 1091** – Rep. Nekritz (D-DesPlaines); Sen. Steans (D-Chicago) – CMAP SUPPORTED this bill to allow the state to enter into public-private partnerships for transportation projects. Senate Amendment 3 ensures that no federal laws are superseded when the rules are created for the use of P3. IDOT has some concerns with the bill, which are being addressed.

**\*Bus Rapid Transit HB 1884** Rep. Rita, (D-Blue Island); Sen. Crotty (D-Oak Forest) – CMAP SUPPORTED this bill to require IDOT, the RTA and state police to establish a five-year pilot program within the RTA boundaries for bus rapid transit on highway and tollway shoulders commencing Jan. 1, 2012.

**High Speed Rail Committee** [HB 1966](#) – Rep. Burke (D-Chicago); Sen. Sandoval (D-Cicero) – CMAP MONITORED this bill to create an Illinois and Midwest High Speed Rail Commission to study implementation of HSR. The plan also supports new high-speed rail and encourages the federal government to pursue this, but cautions that new federal spending on high-speed rail should not come at the expense of support for the regional transit system.

**Universal Fare Card for Seniors** [HB 2874](#) – Rep. Flynn Currie (D-Chicago); Sen. Collins (D-Chicago) – CMAP MONITORED this bill to require the RTA to create a universal fare card for senior citizens. A universal fare card supports the plan’s suggestion to improve the transit user’s perception and experience.

**IDOT Protected Corridors** [SB 1856](#) – Sen. McCarter (R-Highland); Rep. Winters (R-Rockford) – CMAP MONITORED this bill to require IDOT to host public meetings for an area designated as a protected corridor for a future road project at least every 10 years after the establishment of the corridor. It also requires that if the project is no longer deemed feasible that lands that are not developed for highways be removed from the protected road category, this would be at IDOT’s discretion. CMAP is supportive of protecting corridors for future transportation projects as well as a public process to evaluate whether the land should remain preserved.

**Truck Routes** [\\*HB 1377](#) – Rep. Zalewski (D-Summit); Sen. Raoul (D-Chicago) – CMAP SUPPORTED this bill to require municipalities to report to IDOT all preferred truck routes not classified Class 2 or 3, and for IDOT to post those routes on its website. Sharing this data and resources will help improve transparency and provide improved access to information that is critical to better decision-making for local, state and private businesses.

#### **POTENTIAL FALL VETO SESSION ISSUES**

Many bills that did not pass during the spring 2011 session of the Illinois General Assembly have been or will be worked on this summer in order to introduce new or agreed upon language during Veto Session. CMAP tracked a few bills that are getting revisited this summer in preparation for the fall veto session.

**\*County Stormwater Fee** [HB 3372](#) – Rep. Fortner (R-West Chicago); Sen. Koehler (D-Pekin) – CMAP SUPPORTS this bill to allow counties with stormwater management plans to adopt fees to benefit stormwater management activities and facilities. This provision encourages the use of green infrastructure to earn the credits, which can provide multiple benefits to the community, including improved water quality, improved air quality, increased groundwater recharge, increased recreational space and wildlife habitat, energy savings, carbon sequestration and increased land values. Concerns for the bill came from the real estate community.

**\*Rainwater Harvesting** [SB 38](#) – Sen. Garrett (D-Highwood); Rep. Sente (D-Lincolnshire) – CMAP SUPPORTS this bill to require the Department of Public Health to adopt and publish a minimum code of standards for rainwater harvesting collection and distribution systems by Jan. 1, 2012. Senate Amendment 1 expands the scope of this legislative directive and simplifies it at the same time.

**Energy Infrastructure Modernization Act SB 1652** – Sen. Jacobs; Rep. McCarthy (D-Orland Park) CMAP is NUETRAL on this bill. Authorizes ComEd to invest roughly \$2.6 billion to modernize the electric infrastructure and provide a digital smart meter for every residential customer. The bill includes new performance measure standards on reliability, customer service, and job creation with penalties to utilities that fail to meet them. ICC retains authority and oversight to review and set rates. The ICC would set rates each year after an eight-month proceeding where utilities would have to demonstrate that investments and operating costs are be prudent and reasonable. Annual residential increases are held to no more than 2.5% on average for the first three years of the program. The bill also includes clean energy provisions and removes barriers for renewable energy with new energy efficiency programs. The bill sunsets in six years. The Governor and the Attorney General remain concerned about consumer protections, in an effort to protect the bill from a gubernatorial veto Senate Majority Leader Cullerton put on a **Motion to Reconsider**.

**Intermodal District (no bill number)**

During the spring session, Senator Wilhelmi introduced legislation to address overweight fees and fines. Concerned were raised by local government. Later broader bill language was drafted, but not introduced. This language creates the Illinois Transportation District Authority and would have authority over roads within the designated district. Local governments would turn over roads authority that they use to manage, maintained or rehab roads to this district. The District would take over this responsibility as well as create user fees for the roads, develop regulations for freight traffic in order to manage the system. The District would be made up of 10 members – 2 appointments from the city of Joliet; 2 from Elwood; 2 from Will County Executive, and 4 appointments from the Governor. The bill includes language requiring the District to use weight motion technology; I-Pass compatible responders; sets up user fees for over 80K lbs and under this limit; and prevents ILGA budget sweeps.

**ACTION REQUESTED:** Informational

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